

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-64 and 140-171 are pending in the application. Claims 1, 63, 64, 140, 141, 145-148, 150-156, 161, 162, 166, 167, 169, 170, and 171 are the independent claims. Claims 1, 10, 14, 15, 22-25, 27, 33, 48, 51, 62-64, 140, 141, 145-148, 150-158, 161, 162, 166, 167, 169, 170, and 171 are sought to be amended herein. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider and withdraw all outstanding rejections.

Amendments to the Specification

The first paragraph of page 4 is amended to change "FIG. 4" with "FIG. 4A," to coincide with the as-filed drawings. This change is believed to introduce no new matter, and its entry is respectfully requested.

Rejections under 35 U.S.C. § 112

In paragraph 3 of the Office Action, claims 1-64 and 140-171 were rejected under 35 U.S.C. § 112, ¶2 as being indefinite. The rejections are addressed below.

Claims 1, 14, 15, 63, and 64, were rejected under 35 U.S.C. § 112, ¶2 as being indefinite in view of the term, "and/or." The term "and/or" is generally used in conjunction with a list of features, so as to encompass any one of the listed features and combinations of the features. Claims 1, 14, 15, 63, and 64 are amended herein to replace the term "and/or" with other equivalent language. Reconsideration and withdrawal of the rejections are requested.

Claims 15, 22, 23, 24, 140, 141, 145, 146, 147, 148, 150, 151, 152, 153, 154, 155, 156, 161, 162, 166, 167, 169, 170, 171, were rejected under 35 U.S.C. § 112, ¶2 as being indefinite for use of certain semi-colons. Accordingly, these claims have been amended to replace the semi-colons with commas. Reconsideration and withdrawal of the rejections are requested.

Claims 23, 24, 150, and 151 were rejected under 35 U.S.C. § 112, ¶2 as being indefinite in view of the recitation, "return cached data if the cached data is less than N seconds old." According to the Examiner, "it is unclear how many seconds are in N." Applicants respectfully traverse.

"N" represents the age of cache data, and is not limited to any particular amount of time (see, for example, page 23, line 24, through page 24, line 9). It is respectfully submitted that recitation of a period of time N is not indefinite.

Nevertheless, since "N" is inherently a real number, and in order to expedite prosecution of the application, claims 23, 24, 150, and 151, have been amended to recite, "where N is a real number." It is respectfully submitted that claims 23, 24,

150, and 151, as amended, are not indefinite. Reconsideration and withdrawal of the rejections are requested.

Claims 42 and 165 were rejected under 35 U.S.C. § 112, ¶2 as being indefinite in view of the recitation, "filtering out queries related to flights that users are not expected to request." According to the Examiner, "it is unclear how this expectation is determined." Applicants respectfully traverse.

Claims 42 and 165 do not recite *determining* the expectation, but rather, filtering based on the expectation. How or where the expectation is determined is not relevant to claims 42 and 165. Indeed, the expectation could even be provided by an external source.

Nevertheless, Applicants note that one skilled in the relevant art(s), at the time of the present invention, would have understood that one or more of a variety of criteria could be used to identify flights that users are not expected to request. For example, and without limitation, flights into or out of small-market or remote airports, flights on small airplanes or propeller-driven airplanes, infrequently scheduled flights, and/or modes of ground transportation could be identified as flights that users are not expected to request.

Claims 42 and 165 are not, however, limited to any particular method or criteria for identifying flights that users are not expected to request.

It is respectfully submitted that claims 42 and 165, as written, are not indefinite. Reconsideration and withdrawal of the rejections are requested.

Claim 51 was rejected under 35 U.S.C. § 112, ¶2 as being indefinite in view of the phrase, "product/service." According to the Examiner, the phrase lacks antecedent basis. Applicants respectfully traverse.

The phrase, "type of product/service" is properly introduced with an "a" just prior to "type." Thus, no antecedent use of "type of product/service" is necessary. Nevertheless, in order to expedite prosecution of the application, claim 51 has been amended to recite, "assigning priority to queries according to at least one of a type of a product/service and a type of a service."

It is respectfully submitted that claim 51, as amended, is not indefinite. Reconsideration and withdrawal of the rejection are requested.

Claims 62 and 171 were rejected under 35 U.S.C. § 112, ¶2 as being indefinite in view of the phrase, "in a near future." The phrase occurs in the steps of "determining a likelihood that information will be received in a near future by the monitoring," and "generating proactive queries for information not likely to be received in the near future."

The Examiner further asserts that, "it is unclear how this 'likelihood' is determined," and that "the phrase 'not likely to be received in the future' and its determination/derivation is unclear."

Applicants have amended claims 62 and 171 by replacing "in a near future," with, "within a period of time." It is respectfully submitted that the recitation of "within a period of time" is not indefinite.

Regarding the Examiner's concern as to "determination/derivation" of the "likelihood" (that information is or is not likely to be received in the future), the specification discloses, among other features, "predictive models" (page 43, line 26), and "inference based on other queries" (page 43, line 29). Based on the present specification, one skilled in the relevant art(s) at the time of the invention would have understood, for example, that historical availability traffic can be used to determine a likelihood as to future availability traffic.

Claims 62 and 171 are not, however, limited to any particular method or criteria for determining a likelihood that information will or will not be received within the period of time. It is respectfully submitted, therefore, that claims 62 and 171, as amended, are not indefinite. Reconsideration and withdrawal of the rejections are requested.

Other Matters

Claims 10, 15, 23-25, 27, 33, 48, 63, 64, 141, 150, 151, and 156-158 have been amended to correct typographical errors and/or to provide more consistent use of terms and, with respect to claims 63 and 64, to remove features that were inadvertently added by prior amendment. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections.

Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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